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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Matsa et al. Confirmation No.: 4980
Serial No.: 09/866,410 Group Art Unit: 2157
Filed: May 25, 2001 Examiner: Lashonda T. Jacobs
Title: ROUTING INSTANT MESSAGES USING CONFIGURABLE,
PLUGGABLE DELIVERY MANAGERS

DECLARATION UNDER 37 C.F.R. §1.131

To: Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Moshe M. Matsa, Julius Q. Quiaot, and Christopher R. Vincent, Applicants in the above-identified patent application (hereinafter "Applicants"), declare as follows:

1. At some time prior to December 7, 2000, Applicants conceived of and reduced to practice a method of routing instant messages, said method comprising defining, at runtime by a pluggable delivery manager, a delivery policy to be used to route an instant message to an intended recipient of the instant message, wherein the delivery policy is based upon a configuration of the pluggable delivery manager, a user configuration of the intended recipient, and one or more available delivery mechanisms; and routing said instant message to the intended recipient using said delivery policy.
2. At some time prior to December 7, 2000, Applicants conceived of and reduced to practice the invention described in paragraph 1 hereof, wherein said defining of the delivery policy comprises defining a routing policy based on said user configuration and said one or more available delivery mechanisms, and selecting from the routing policy at least one delivery mechanism to be included in the delivery policy, said selecting being based upon the configuration of the pluggable delivery manager.

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3. At some time prior to December 7, 2000, Applicants conceived of and reduced to practice the invention described in paragraph 1 hereof, wherein said defining of the delivery policy comprises determining, from the user configuration, one or more delivery mechanisms supported by said intended recipient; determining which of said one or more delivery mechanisms supported by said intended recipient are included in the one or more available delivery mechanisms to yield one or more possible delivery mechanisms; and determining which of the one or more possible delivery mechanisms are supported by the pluggable delivery manager, as indicated in the configuration of the pluggable delivery manager, a result of which defines the delivery policy.
4. At some time prior to December 7, 2000, Applicants conceived of and reduced to practice the invention described in paragraph 3 hereof, wherein said routing comprises dispatching the instant message to at least one delivery mechanism of the delivery policy, as indicated by the delivery policy.
5. At some time prior to December 7, 2000, Applicants conceived of and reduced to practice the invention described in paragraph 1 hereof, wherein said routing comprises dispatching the instant message to at least one delivery mechanism of the delivery policy, as indicated by the delivery policy.
6. At some time prior to December 7, 2000, Applicants conceived of and reduced to practice the invention described in paragraph 1 hereof, further comprising selecting the pluggable delivery manager from a plurality of delivery managers.
7. At some time prior to December 7, 2000, Applicants conceived of and reduced to practice the invention described in paragraph 1 hereof, further comprising configuring said pluggable delivery manager.
8. At some time prior to December 7, 2000, Applicants conceived of and reduced to practice the invention described in paragraph 7 hereof, wherein said configuring comprises selecting a configuration for said pluggable delivery manager from a set of one or more

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configurations, wherein said selecting uses content of the instant message to make the selection.

9. At some time prior to December 7, 2000, Applicants conceived of and reduced to practice the invention described in paragraph 7 hereof, wherein said configuring comprises configuring said pluggable delivery manager at runtime.
10. At some time prior to December 7, 2000, Applicants conceived of and reduced to practice the invention described in paragraph 1 hereof, wherein the intended recipient is indicated by the instant message.
11. At some time prior to December 7, 2000, Applicants conceived of and reduced to practice the invention described in paragraph 1 hereof, wherein at least one available delivery mechanism of said one or more available delivery mechanisms is pluggable.
12. At some time prior to December 7, 2000, Applicants conceived of and reduced to practice a system of routing instant messages, said system comprising means for defining, at runtime by a pluggable delivery manager, a delivery policy to be used to route an instant message to an intended recipient of the instant message, wherein the delivery policy is based upon a configuration of the pluggable delivery manager, a user configuration of the intended recipient, and one or more available delivery mechanisms; and means for routing said instant message to the intended recipient using said delivery policy.
13. At some time prior to December 7, 2000, Applicants conceived of and reduced to practice the invention described in paragraph 12 hereof, wherein said means for defining the delivery policy comprises means for defining a routing policy based on said user configuration and said one or more available delivery mechanisms, wherein said routing policy includes one or more possible delivery mechanisms; and means for selecting from the routing policy at least one delivery mechanism to be included in the delivery policy, the selecting being based upon the configuration of the pluggable delivery manager.
14. At some time prior to December 7, 2000, Applicants conceived of and reduced to practice the invention described in paragraph 12 hereof, wherein said means for defining the

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delivery policy comprises means for determining, from the user configuration, one or more delivery mechanisms supported by said intended recipient; means for determining which of said one or more delivery mechanisms supported by said intended recipient are included in the one or more available delivery mechanisms to yield one or more possible delivery mechanisms; and means for determining which of the one or more possible delivery mechanisms are supported by the pluggable delivery manager, as indicated in the configuration of the pluggable delivery manager, a result of which defines the delivery policy.

15. At some time prior to December 7, 2000, Applicants conceived of and reduced to practice the invention described in paragraph 14 hereof, wherein said means for routing comprises means for dispatching the instant message to at least one delivery mechanism of the delivery policy, as indicated by the delivery policy.
16. At some time prior to December 7, 2000, Applicants conceived of and reduced to practice the invention described in paragraph 12 hereof, wherein said means for routing comprises means for dispatching the instant message to at least one delivery mechanism of the delivery policy, as indicated by the delivery policy.
17. At some time prior to December 7, 2000, Applicants conceived of and reduced to practice the invention described in paragraph 12 hereof, further comprising means for selecting the pluggable delivery manager from a plurality of delivery managers.
18. At some time prior to December 7, 2000, Applicants conceived of and reduced to practice the invention described in paragraph 12 hereof, further comprising means for configuring said pluggable delivery manager.
19. At some time prior to December 7, 2000, Applicants conceived of and reduced to practice the invention described in paragraph 18 hereof, wherein said means for configuring comprises means for selecting a configuration for said pluggable delivery manager from a set of one or more configurations, wherein the selecting uses content of the instant message to make the selection.

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20. At some time prior to December 7, 2000, Applicants conceived of and reduced to practice the invention described in paragraph 18 hereof, wherein said means for configuring comprises means for configuring said pluggable delivery manager at runtime.
21. At some time prior to December 7, 2000, Applicants conceived of and reduced to practice the invention described in paragraph 12 hereof, wherein the intended recipient is indicated by the instant message.
22. At some time prior to December 7, 2000, Applicants conceived of and reduced to practice the invention described in paragraph 12 hereof, wherein at least one available delivery mechanism of said one or more available delivery mechanisms is pluggable.
23. At some time prior to December 7, 2000, Applicants conceived of and reduced to practice a system of routing instant messages, said system comprising a delivery policy defined, at runtime by a pluggable delivery manager, to be used to route an instant message to an intended recipient of the instant message, wherein the delivery policy is based upon a configuration of the pluggable delivery manager, a user configuration of the intended recipient, and one or more available delivery mechanisms; and said pluggable delivery manager to route said instant message to the intended recipient using said delivery policy.
24. At some time prior to December 7, 2000, Applicants conceived of and reduced to practice at least one program storage device readable by a machine, tangibly embodying at least one program of instructions executable by the machine to perform a method of routing instant messages, said method comprising defining, at runtime by a pluggable delivery manager, a delivery policy to be used to route an instant message to an intended recipient of the instant message, wherein the delivery policy is based upon a configuration of the pluggable delivery manager, a user configuration of the intended recipient, and one or more available delivery mechanisms; and routing said instant message to the intended recipient using said delivery policy.
25. At some time prior to December 7, 2000, Applicants conceived of and reduced to practice the invention described in paragraph 24 hereof, wherein said defining of the delivery

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policy comprises defining a routing policy based on said user configuration and said one or more available delivery mechanisms, wherein said routing policy includes one or more possible delivery mechanisms; and selecting from the routing policy at least one delivery mechanism to be included in the delivery policy, said selecting being based upon the configuration of the pluggable delivery manager.

26. At some time prior to December 7, 2000, Applicants conceived of and reduced to practice the invention described in paragraph 24 hereof, wherein defining of the delivery policy comprises determining, from the user configuration, one or more delivery mechanisms supported by said intended recipient; determining which of said one or more delivery mechanisms supported by said intended recipient are included in the one or more available delivery mechanisms to yield one or more possible delivery mechanisms; and determining which of the one or more possible delivery mechanisms are supported by the pluggable delivery manager, as indicated in the configuration of the pluggable delivery manager, a result of which defines the delivery policy.
27. At some time prior to December 7, 2000, Applicants conceived of and reduced to practice the invention described in paragraph 26 hereof, wherein said routing comprises dispatching the instant message to at least one delivery mechanism of the delivery policy, as indicated by the delivery policy.
28. At some time prior to December 7, 2000, Applicants conceived of and reduced to practice the invention described in paragraph 24 hereof, wherein said routing comprises dispatching the instant message to at least one delivery mechanism of the delivery policy, as indicated by the delivery policy.
29. At some time prior to December 7, 2000, Applicants conceived of and reduced to practice the invention described in paragraph 24 hereof, wherein said method further comprises selecting the pluggable delivery manager from a plurality of delivery managers.

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30. At some time prior to December 7, 2000, Applicants conceived of and reduced to practice the invention described in paragraph 24 hereof, wherein said method further comprises configuring said pluggable delivery manager.
31. At some time prior to December 7, 2000, Applicants conceived of and reduced to practice the invention described in paragraph 30 hereof, wherein said configuring comprises selecting a configuration for said pluggable delivery manager from a set of one or more configurations, wherein said selecting uses content of the instant message to make the selection.
32. At some time prior to December 7, 2000, Applicants conceived of and reduced to practice the invention described in paragraph 30 hereof, wherein said configuring comprises configuring said pluggable delivery manager at runtime.
33. At some time prior to December 7, 2000, Applicants conceived of and reduced to practice the invention described in paragraph 24 hereof, wherein the intended recipient is indicated by the instant message.
34. At some time prior to December 7, 2000, Applicants conceived of and reduced to practice the invention described in paragraph 24 hereof, wherein at least one available delivery mechanism of said one or more available delivery mechanisms is pluggable.
35. At some time prior to December 7, 2000, Applicants conceived of and reduced to practice the invention described in paragraph 1 hereof, wherein the pluggable delivery manager is dynamically added at runtime.
36. At some time prior to December 7, 2000, Applicants conceived of and reduced to practice the invention described in paragraph 1 hereof, wherein the pluggable delivery manager is dynamically added at runtime.
37. At some time prior to December 7, 2000, Applicants conceived of and reduced to practice the invention described in paragraph 23 hereof, wherein the pluggable delivery manager is dynamically added at runtime.

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38. At some time prior to December 7, 2000, Applicants conceived of and reduced to practice the invention described in paragraph 24 hereof, wherein the pluggable delivery manager is dynamically added at runtime.
39. At some time prior to December 7, 2000 Applicants described their invention (i.e., the methods, systems and devices described hereinabove and claimed in the pending claims) in an invention disclosure, a copy of which is annexed hereto and made part hereof as Exhibit "A" (hereinafter the "Invention Disclosure"), and in a corresponding Abstract, a copy of which is annexed hereto and made part hereof as Exhibit "B" (hereinafter the "Abstract"). The Invention Disclosure and Abstract were prepared and maintained in the ordinary course of business of the assignee, International Business Machines Corporation. Unnecessary and proprietary information has been redacted from the Invention Disclosure and Abstract.
40. At some time prior to December 7, 2000, Applicants completed the manufacture of a program storage device readable by a machine, tangibly embodying the source code. Said source code, representative sections of which are annexed hereto and made a part hereof as Exhibit "C", was stored, compiled and executable on local hard drives on IBM development machines, at least one of which was a ThinkPad laptop and at least one of which was a desktop IBM PC, which hard drives were readable by said machines, and said source code was executable by said machines. Said source code is at least one program of instructions executable by said machines and capable of performing the methods described herein above in paragraphs 1 - 11 and 24 - 34 and claimed and/or described in pending claims 1 - 11 and 33 - 43.
41. At least as early as December 7, 2000, Applicants' invention was implemented in a prototype that Applicants refer to as the "Extreme Chat" prototype, which operated successfully and was capable of performing the methods that the invention was intended to perform, namely the methods described hereinabove in paragraphs 1 - 11 and 24 - 34 and claimed and/or described in pending claims 1 - 11 and 33 - 43. At least as early as December 7, 2000, said successful operation of the invention prototype was reported in the Invention Disclosure (see Exhibit "A," page 3, ¶ 4).

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42. The declarants state that all statements made of their own knowledge are true and that all statements made on information and belief are believed to be true. The declarants further state that the above statements were made with the knowledge that willful false statements and the like are punishable by fine and/or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that any such willful false statement may jeopardize the validity of this application or any patent resulting therefrom.

Date: October 7, 2005 Moshe M. Matsa
Moshe M. Matsa


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Date: October 6, 2005


Julius Q. Quiaot

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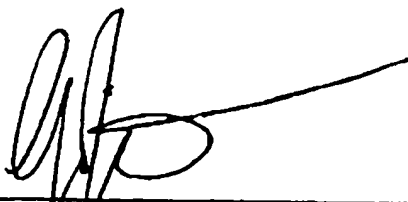
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Date: 10/6/2005



Christopher R. Vincent